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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Giorgio CATTANEO ET AL (2)

SER. NO. 10/522,331 PCT/DE2003/002455

FILED: JANUARY 24, 2005

Group: 3762

FOR: INTRAVENOUS OXYGENATOR

PETITION TO CHANGE ORDER OF INVENTORS

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Enclosed please find a Combined Declaration/Power of Attorney, listing Giorgio CATTANEO as the first or senior inventor, Helmut REUL as the second inventor, and Rüdiger AUTSCHBACH as the third inventor. It is respectfully requested that a new filing receipt be issued, indicating this change in the order of the inventors. A copy of the original filing receipt is attached. Please charge any fee associated therewith to deposit account 03-2468.

Respectfully submitted,

Giorgio CATTANEO ET AL

Allison C. Collard, Reg. No. 22,532

William C. Collard, Reg. No. 38,411

COLLARD & ROE, P.C. Edward R. Freedman, Reg. No. 26,048

1077 Northern Boulevard Attorneys for Applicants

Roslyn, New York 11576

(516) 365-9802

Enclosure: Declaration

Copy of previously mailed filing receipt

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on November 10, 2005.

Maria Guastella



P01681W

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER

REUL, ET AL - 1 PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**INTRAVENOUS OXYGENATOR**

the specification of which (check only one item below):

- ☐ is attached hereto.
- ☐ was filed as United States application  
Serial No. \_\_\_\_\_,  
on \_\_\_\_\_  
and was amended  
on \_\_\_\_\_ (if applicable).
- ☒ was filed as PCT international application  
Number PCT/DE2003/002455,  
on July 22, 2003  
and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).




I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
GERMANY	102 33 290.8	22 July 2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
GERMANY	102 47 629.2	11 October 2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

<b>COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY</b> (Includes Reference to PCT International Applications)				ATTORNEY'S DOCKET NUMBER <b>REUL, ET AL - 1 PCT</b>	
I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.					
(Application Number)			(Filing Date)		
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:					
<b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:</b>					
U.S. APPLICATIONS			STATUS (Check One)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
PCT APPLICATIONS DESIGNATING THE U.S.					
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration numbers): <b>KURT KELMAN, Registration No. 18,628</b> <b>ALLISON C. COLLARD, Registration No. 22,532;</b> <b>FREDERICK J. DORCHAK, Registration No. 29,298</b> <b>EDWARD R. FREEDMAN, Registration No. 26,048;</b> <b>WILLIAM C. COLLARD, Registration No. 38,411</b> <b>ELIZABETH COLLARD RICHTER, Registration No. 35,103;</b> <b>EDWARD J. CALLAGHAN, Registration No. 46,594</b>					
Send Correspondence to:		COLLARD & ROE, P.C. 1077 Northern Boulevard Roslyn, New York 11576		Customer No. <b>25889</b>	Direct Telephone Calls to: (name and telephone number) (516) 365-9802
2  0  1	FULL NAME OF INVENTOR	FAMILY NAME <b>CATTANEO</b>	FIRST GIVEN NAME <b>Giorgio</b>	SECOND GIVEN NAME	
	RESIDENCE & CITIZENSHIP	CITY <b>D-52064 Aachen</b>	STATE OR FOREIGN COUNTRY <b>GERMANY</b>	COUNTRY OF CITIZENSHIP <b>ITALY</b>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>Südstrasse 33</b>	CITY <b>D-52064 Aachen</b>	STATE & ZIP CODE/COUNTRY <b>GERMANY</b>	
2  0  2	FULL NAME OF INVENTOR	FAMILY NAME <b>REUL (DECEASED)</b>	FIRST GIVEN NAME <b>Helmut</b>	SECOND GIVEN NAME	
	RESIDENCE & CITIZENSHIP	CITY <b>D-52353 Düren</b>	STATE OR FOREIGN COUNTRY <b>GERMANY</b>	COUNTRY OF CITIZENSHIP <b>GERMANY</b>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>Akazienstr. 65</b>	CITY <b>D-52353 Düren</b>	STATE & ZIP CODE/COUNTRY <b>GERMANY</b>	
2  0  3	FULL NAME OF INVENTOR	FAMILY NAME <b>AUTSCHBACH</b>	FIRST GIVEN NAME <b>Rüdiger</b>	SECOND GIVEN NAME	
	RESIDENCE & CITIZENSHIP	CITY <b>D-52066 Aachen</b>	STATE OR FOREIGN COUNTRY <b>GERMANY</b>	COUNTRY OF CITIZENSHIP <b>GERMANY</b>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>Scheurenstr. 2a</b>	CITY <b>D-52066 Aachen</b>	STATE & ZIP CODE/COUNTRY <b>GERMANY</b>	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.					
SIGNATURE OF INVENTOR 201:  DATE: <u>30.09.05</u>		SIGNATURE OF INVENTOR 202:  (SEE NEXT PAGE) DATE: <u>(SEE NEXT PAGE)</u>		SIGNATURE OF INVENTOR 203:  DATE: <u>30/09/2005</u>	

Signature on behalf of Inventor 202

By: S. Reul - R.  
**Sylvia Ruth Reul-Freudenstein**  
 Legal Representative of Helmut REUL (Deceased Inventor)  
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8.9.05  
 Date

By: M. Lenz  
**Michele Lenz**  
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11.08.05  
 Date

By: Jan Reul  
**Jan Reul**  
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 Akazienstr. 65,  
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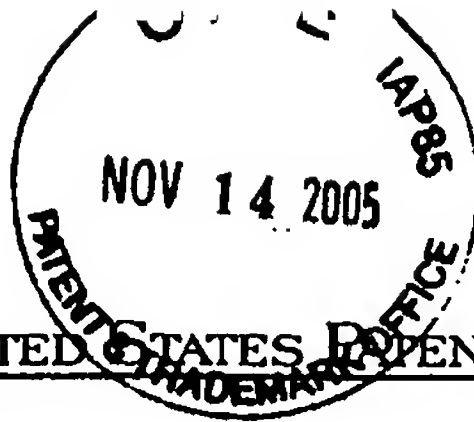
11.9.05  
 Date

By: S. Reul - R.  
**Julian Paul Reul**  
 Legal Representative of Helmut REUL (Deceased Inventor)  
*Sylvia Ruth Reul-Freudenstein for Julian Paul Reul*  
 Akazienstr. 65,  
 D-52353 Düren, Germany

8.9.05  
 Date

Remark: Helmut Reul has four (4) heirs, namely his wife Sylvia Ruth Reul-Freudenstein and his three children Michele Lenz, Jan Reul and Julian Paul Reul. Since Julian Paul Reul is under age, he cannot sign for himself. Instead, his legal representative, his mother, Sylvia Ruth Reul-Freudenstein, needs to sign on his behalf.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/522,331	01/24/2005	3762	2550	REUL et al 1 PCT	9	88	7

CONFIRMATION NO. 5991

25889

WILLIAM COLLARD

COLLARD &amp; ROE, P.C.

1077 NORTHERN BOULEVARD

ROSLYN, NY 11576

## FILING RECEIPT



\*OC000000016351537\*

Date Mailed: 06/28/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Rudiger Autschbach, Aachen, GERMANY;  
 Gjorgio Cattaneo, Aachen, GERMANY;  
 Helmut Reul, Duren, GERMANY;

Gjorgio

## Power of Attorney:

Edward Freedman--26048

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/DE03/02455 07/22/2003

## Foreign Applications

GERMANY 10233290.8 07/22/2002  
 GERMANY 110247629.2 10/11/2002

Projected Publication Date: 09/29/2005

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*



**Title**

Intravenous oxygenator

**Preliminary Class**

604

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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